

1 HB91
2 195886-1
3 By Representative Shedd
4 RFD: Boards, Agencies and Commissions
5 First Read: 05-MAR-19

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8 SYNOPSIS: This bill would require each state
9 occupational licensing board, agency, and
10 commission, by rule, to establish and maintain a
11 recruitment and assistance program for encouraging
12 the recruitment of new licensees and assisting new
13 applicants for licensure in becoming licensed.

14 This bill would also include an examination
15 of the required program as part of the Sunset
16 Committee review process.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
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22 To add Chapter 9A, commencing with Section 41-9A-1,
23 to Title 41, Code of Alabama 1975, relating to general
24 provisions relating to state occupational licensing boards,
25 agencies, and commissions; to require each board, agency, and
26 commission to establish and maintain a recruitment and
27 assistance program for encouraging the recruitment of new

1 licensees and assisting new applicants for licensure in
2 becoming licensed; and to amend Section 41-20-6, Code of
3 Alabama 1975, relating to the Sunset Committee, to include an
4 examination of the required programs as part of the Sunset
5 Committee review process.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Chapter 9A, commencing with Section
8 41-9A-1, is added to Title 41 of the Code of Alabama 1975, to
9 read as follows:

10 §41-9A-1.

11 For the purposes of this chapter, the following
12 terms shall have the following meanings:

13 (1) LICENSE. Any license, certificate, or other
14 evidence of qualification that an individual is required to
15 obtain before he or she may engage in or represent himself or
16 herself to be a member of a particular profession or
17 occupation.

18 (2) OCCUPATIONAL LICENSING BOARD. Any state board,
19 agency, commission, or other entity in Alabama that is
20 established for the primary purpose of regulating the entry of
21 individuals into, or the conduct of individuals within, or
22 both, a particular profession or occupation, and that is
23 authorized to issue licenses. The term does not include state
24 agencies, staffed by full-time state employees, which as a
25 part of their regular functions, may issue licenses.

26 §41-9A-2.

1 Before January 1, 2020, each occupational licensing
2 board in existence on the effective date of the act adding
3 this section, by rule, shall develop and maintain a
4 recruitment and assistance program to encourage the
5 recruitment of new licensees to those professions or
6 occupations regulated by the occupational licensing board and
7 assist new applicants for licensure in becoming licensed. The
8 program shall encourage recruitment and assist applicants at
9 all levels of licensure under the jurisdiction of the
10 occupational licensing board. Each occupational licensing
11 board created on or after January 1, 2020, by rule, shall
12 develop a recruitment and assistance program within one year
13 after the date of the organizational meeting of the
14 occupational licensing board.

15 Section 2. Section 41-20-6 of the Code of Alabama
16 1975, is amended to read as follows:

17 "§41-20-6.

18 "(a) The Sunset Committee reviewing enumerated or
19 nonenumerated agencies, shall hold public hearings and receive
20 testimony from the public and all interested parties.

21 "(b) All enumerated or nonenumerated agencies shall
22 bear the burden of establishing that sufficient public need is
23 present which justifies their continued existence.

24 "(c) All enumerated or nonenumerated agencies shall
25 provide the reviewing and evaluating committee with all of the
26 following information:

1 "(1) The identity of all agencies under the direct
2 or advisory control of the agency under review~~7.~~

3 "(2) All powers, duties~~,~~ and functions currently
4 performed by the agency under review~~7.~~

5 "(3) All constitutional, statutory~~,~~ or other
6 authority under which ~~said~~ the powers, duties, and functions
7 of the agency are carried out~~7.~~

8 "(4) Any powers, duties~~,~~ or functions which, in the
9 opinion of the agency under review, are being performed and
10 duplicated by another agency within the state, including the
11 manner in which and the extent to which this duplication of
12 efforts is occurring and any recommendations as to eliminating
13 the duplication~~7.~~

14 "(5) Any powers, duties~~,~~ or functions which, in the
15 opinion of the agency under review, are inconsistent with
16 current and projected public needs and which should be
17 terminated or altered~~7; and.~~

18 "(6) An accurate measure of the effectiveness of the
19 recruitment and assistance program developed and maintained by
20 the agency under review pursuant to Section 41-9A-1.

21 "~~(6)~~ (7) Any other information which the reviewing
22 committee, in its discretion, feels is necessary and proper in
23 carrying out its review and evaluative duties."

24 Section 3. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.